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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CASE NO. S 94-320 JAM
)	
Plaintiff,)	
)	MOTION TO DISMISS INDICTMENT
v.)	AND SUPERSEDING INDICTMENT AS
)	TO DEFENDANT ANTONIO MEDINA-
ANTONIO MEDINA-GARCIA,)	GARCIA and ORDER
)	
Defendant.)	
)	
)	

The United States hereby moves to dismiss the Indictment and Superseding Indictment as to defendant Antonio Medina-Garcia. The defendant has been a fugitive for the past 16 years and his whereabouts remain unknown at this time. This is a complex defendant drug case with the other defendants convicted and sentenced long ago. Maintaining the evidence and files is expensive and problematic. The likelihood of arresting the defendant at this point is remote. Therefore, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure the government moves to dismiss the charges as to

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1 defendant Antonio Medina-Garcia and that the outstanding arrest
2 warrants be recalled.

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4 Dated: July 26, 2011

BENJAMIN B. WAGNER
United States Attorney

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6 By: /s/ Richard J. Bender
RICHARD J. BENDER
Assistant United States Attorney
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,)	CASE NO. S 94-320 JAM
)	
12 Plaintiff,)	
)	ORDER DISMISSING INDICTMENT AND
13 v.)	SUPERSEDING INDICTMENT AS TO
)	DEFENDANT ANTONIO MEDINA-GARCIA
14 ANTONIO MEDINA-GARCIA,)	
)	
15 Defendant.)	
)	
16)	

17
18 For the reason set forth in the motion to dismiss filed by the
19 United States, the charges against ANTONIO MEDINA-GARCIA in the
20 pending Indictment and Superseding Indictment, are hereby DISMISSED
21 and any outstanding arrest warrants are recalled.
22

23 DATED: July 26, 2011

24 /s/ John A. Mendez
25 HONORABLE JOHN A. MENDEZ
26 UNITED STATES DISTRICT COURT JUDGE
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